

APPROPRIATIONS FOR JUDICIAL DEPARTMENT.

S. B. No. 2.]

CHAPTER 102.

AN ACT making appropriations to pay salaries of judges, and the support and maintenance of the Judicial Department of the State Government for the two year period beginning September 1, 1927, and ending August 31, 1929, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. That the following sums of money, or so much thereof as may be necessary, be, and the same are hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay the salaries of judges, and for the support and maintenance of the Judicial Department of the State Government for the two year period beginning September 1, 1927, and ending August 31, 1929.

COURT OF CIVIL APPEALS—FIRST DISTRICT

Galveston.

	For the Years Ending	
	August 31, 1928	August 31, 1929
Salaries of:		
Three judges	\$ 21,000.00	\$ 21,000.00
Clerk	3,000.00	3,000.00
Deputy Clerk	1,500.00	1,500.00
Stenographer	1,500.00	1,500.00
Porter	720.00	720.00
Books for library	800.00	800.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expense.....	600.00	600.00
Fuel and lights	350.00	350.00
Furniture and typewriters	200.00	100.00
Total	\$ 29,670.00	\$ 29,570.00

COURT OF CIVIL APPEALS—SECOND DISTRICT

Fort Worth.

Salaries of:		
Three judges	\$ 21,000.00	\$ 21,000.00
Clerk	3,000.00	3,000.00
Deputy Clerk	1,500.00	1,500.00
Stenographer	1,500.00	1,500.00
Porter	720.00	720.00
Books for library	800.00	800.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses	650.00	650.00

	For the Years Ending	
	August 31, 1928	August 31, 1929
Repairs on furniture	50.00	50.00
Bookcases for library	500.00
Binding library books	500.00
Typewriter	106.00
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COURT OF CIVIL APPEALS—THIRD DISTRICT.

	Austin.	
Salaries of:		
Three judges	\$ 21,000.00	\$ 21,000.00
Clerk	3,000.00	3,000.00
Deputy Clerk	1,500.00	1,500.00
Stenographer	1,500.00	1,500.00
Porter	720.00	720.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses	800.00	800.00
Books for library	400.00	400.00
Typewriters	250.00
Total	<hr/>	<hr/>
		\$ 28,920.00

COURT OF CIVIL APPEALS—FOURTH DISTRICT.

	San Antonio	
Salaries of:		
Three judges	\$ 21,000.00	\$ 21,000.00
Clerk	3,000.00	3,000.00
Deputy Clerk	1,500.00	1,500.00
Stenographer	1,500.00	1,500.00
Porter	720.00	720.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses	750.00	750.00
Books for library	500.00	500.00
Furniture	100.00	100.00
Total	<hr/>	<hr/>
	\$ 29,070.00	\$ 29,070.00

COURT OF CIVIL APPEALS—FIFTH DISTRICT

	Dallas	
Salaries of:		
Three judges	\$ 21,000.00	\$ 21,000.00
Clerk	3,000.00	3,000.00

GENERAL AND SPECIAL LAWS.

	For the Years Ending	
	August 31, 1928	August 31, 1929
Deputy clerk	1,500.00	1,500.00
Stenographer	1,500.00	1,500.00
Porter	720.00	720.00
Books for library	800.00	800.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses	650.00	650.00
Total	\$ 29,170.00	\$ 29,170.00

COURT OF CIVIL APPEALS—SIXTH DISTRICT

Texarkana

Salaries of:		
Three judges	\$ 21,000.00	\$ 21,000.00
Clerk	3,000.00	3,000.00
Deputy clerk	1,500.00	1,500.00
Stenographer	1,500.00	1,500.00
Porter	720.00	720.00
Bookcases for library	100.00	100.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent, and contingent expenses	750.00	750.00
Light and fuel	300.00	300.00
Books for library and subscription	750.00	750.00
Typewriters	100.00	150.00
Filing cases	100.00	
Furniture and desks	100.00	150.00
Total	\$ 29,920.00	\$ 29,920.00

COURT OF CIVIL APPEALS—SEVENTH DISTRICT

Amarillo

Salaries of:		
Three judges	\$ 21,000.00	\$ 21,000.00
Clerk	3,000.00	3,000.00
Deputy clerk	1,500.00	1,500.00
Stenographer	1,500.00	1,500.00
Porter	720.00	720.00
Books for library	800.00	800.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent, contingent and fuel	700.00	700.00
Total	\$ 29,220.00	\$ 29,220.00

COURT OF CIVIL APPEALS—EIGHTH DISTRICT

El Paso.

	For the Years Ending	
	August 31, 1928	August 31, 1929
Salaries of:		
Three judges	\$ 21,000.00	\$ 21,000.00
Clerk	3,000.00	3,000.00
Deputy Clerk	1,500.00	1,500.00
Stenographer	1,500.00	1,500.00
Porter	720.00	720.00
Books for library	800.00	800.00
Typewriters	100.00	100.00
Records books, stationery, ice, tele- phone, telegraph, express, postage, box rent and contingent expenses.....	700.00	700.00
Steel bookrack	250.00	
Total		

COURT OF CIVIL APPEALS—NINTH DISTRICT.

Beaumont.

Salaries of:		
Three judges	\$ 21,000.00	\$ 21,000.00
Clerk	3,000.00	3,000.00
Deputy Clerk	1,500.00	1,500.00
Stenographer	1,500.00	1,500.00
Porter	720.00	720.00
Books for library	500.00	500.00
Record books, stationery, ice, telegraph, telephone, express, postage, box rent, laundry, and contingent expenses.....	600.00	600.00
Filing cases	200.00	
Total	\$ 29,020.00	\$ 28,820.00

COURT OF CIVIL APPEALS—TENTH DISTRICT.

Waco.

Salaries of:		
Three judges	\$ 21,000.00	\$ 21,000.00
Clerk	3,000.00	3,000.00
Deputy clerk	1,500.00	1,500.00
Stenographer	1,500.00	1,500.00
Porter	720.00	720.00
Books for library	1,000.00	

GENERAL AND SPECIAL LAWS.

	For the Years Ending	
	August 31, 1928	August 31, 1929
Record books, stationery, ice, telegraph, telephone, express, postage, box rent and contingent expenses.....	800.00	800.00
Typewriters	100.00	100.00
Filing cases and furniture.....	250.00
Total	\$ 29,870.00

COURT OF CIVIL APPEALS—ELEVENTH DISTRICT.

Eastland.

Salaries of:		
Three judges	\$ 21,000.00	\$ 21,000.00
Clerk	3,000.00	3,000.00
Deputy clerk	1,500.00	1,500.00
Stenographer	1,500.00	1,500.00
Porter	720.00	720.00
Record books, stationery, ice, telegraph, telephone, express, postage, box rent and contingent expenses.....	600.00	600.00
Typewriters	100.00	100.00
Fuel and lights.....	300.00	300.00
Furniture and fixtures.....	500.00
Library and upkeep.....	500.00	500.00
Total	\$ 29,720.00	\$ 29,220.00

SUPREME COURT.

Salaries of:		
Three judges	\$ 24,000.00	\$ 24,000.00
Clerk	2,500.00	2,500.00
Reporter	3,000.00	3,000.00
Three law clerks and stenographers.....	5,400.00	5,400.00
Assistant librarian and marshal.....	1,500.00	1,500.00
Porter for judges' rooms.....	720.00	720.00
Porter for court room, clerks office and library	720.00	720.00
Furniture, record books, stationery, typewriters, postage and express.....	2,000.00	2,000.00
Bookcases for library.....	2,000.00
Purchase of law books selected by the court, and for rebinding.....	3,000.00	3,000.00
Contingent expenses	300.00	300.00
Deputy clerk, acting secretary to the Board of Legal Examiners, shall re- ceive \$1,000.00 per annum; paid		

GENERAL AND SPECIAL LAWS.

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	For the Years Ending	
	August 31, 1928	August 31, 1929
monthly out of fees of clerk's office		
Total	\$ 45,140.00	\$ 43,140.00

COMMISSION OF APPEALS

Section A and B

Salaries of:		
Six judges	\$ 42,000.00	\$ 42,000.00
Three stenographers	4,500.00	4,500.00
Porter	720.00	720.00
Record books, rental and purchase of law books, stationery, furniture, tele- phone, postage and contingent ex- penses	1,500.00	1,500.00
Total	\$ 48,720.00	\$ 48,720.00

COURT OF CRIMINAL APPEALS

Austin

Salaries of:		
Three judges	\$ 24,000.00	\$ 24,000.00
Clerk	3,000.00	3,000.00
Bailiff and secretary	2,400.00	2,400.00
Two secretaries	4,800.00	4,800.00
Court reporter	4,000.00	4,000.00
Porter	720.00	720.00
Postage and box rent	250.00	250.00
Law books	500.00	500.00
Record books and stationery	800.00	800.00
Contingent expenses	200.00	200.00
Furniture, file cases and pictures of deceased judges	300.00	300.00
Telephones	200.00	200.00
Filing envelopes	500.00	
Typewriters	250.00	
Total	\$ 41,920.00	\$ 41,170.00

STATE'S ATTORNEY BEFORE COURT OF CRIMINAL
APPEALS

State's Attorney	\$ 3,600.00	\$ 3,600.00
Law Clerk and Stenographer	1,800.00	1,800.00
Law books	100.00	100.00

	For the Years Ending	
	August 31, 1928	August 31, 1929
Telephone, postage, box rent and contingent expenses	185.00	185.00
Furniture and book cases	100.00	100.00
Total	\$ 5,785.00	\$ 5,785.00

COMMISSION OF APPEALS

To Aid Court of Criminal Appeals

Two Commissioners	\$ 14,000.00	\$ 14,000.00
Stenographers, two	3,600.00	3,600.00
Law books	250.00	250.00
Telephone	120.00	120.00
Furniture and contingent expenses	150.00	150.00
Total	\$ 18,120.00	\$ 18,120.00

JUDICIARY COMPTROLLER'S DEPARTMENT

One hundred and three District Judges	\$515,000.00	\$515,000.00
Forty-nine District Attorneys	24,500.00	24,500.00
Expenses of Judges and District Attorneys, as allowed by Thirty-eighth Legislature, payable in quarterly installments	45,000.00	45,000.00
Five Criminal District Attorneys	2,500.00	2,500.00
Criminal District Judges (six) after January 1, 1928, Seven	33,333.33	35,000.00
Expenses of attached witnesses and witness fees and mileage allowed witnesses in felony cases, who reside in counties other than the county in which the cause is being tried	300,000.00	300,000.00
Fees of County Attorneys, Justice of Peace, Sheriffs and Constables in examining trials	125,000.00	125,000.00
Fees and costs of sheriffs, attorneys and clerks in felony cases	700,000.00	700,000.00
Fees, costs and per diem of Forty-nine District Attorneys, 175 days at \$20.00 per day	171,500.00	171,500.00
To pay salaries of Special Judges and Expenses of District Judges for holding court out of their own counties	15,000.00	15,000.00
To pay special judges of supreme court, Courts of Criminal and Civil Appeals, where disqualification of the		

GENERAL AND SPECIAL LAWS.

437

	For the Years Ending	
	August 31, 1928	August 31, 1929
regular judge exists, and special judges are appointed.....	5,000.00	5,000.00
To pay fees and costs of officials in cases of escheated estates, including cases on which such costs and fees have already accrued and are owing by the State.....	100.00	100.00
For the payment of transcript in cases where the Court is required to and does appoint an attorney to represent the defendant in a criminal action, and where the official reporter is required and does furnish the attorney for the defendant (if convicted) with a transcript of his notes, as is provided by law.....	2,500.00	2,500.00
To pay District Attorney and two Assistants, El Paso District.....	12,300.00	12,300.00
To pay District Attorney, Thirtieth Judicial District, as per House Bill No. 98, Acts Regular Session Fortieth Legislature	2,500.00	2,500.00
Total		

RECAPITULATION

Court of Appeals,		
First District	\$ 29,670.00	\$ 29,570.00
Court of Civil Appeals,		
Second District	30,576.00	29,470.00
Court of Civil Appeals,		
Third District	30,170.00	28,920.00
Court of Civil Appeals,		
Fourth District	29,070.00	29,070.00
Court of Civil Appeals,		
Fifth District	29,170.00	29,170.00
Court of Civil Appeals,		
Sixth District	29,920.00	29,920.00
Court of Civil Appeals,		
Seventh District	29,220.00	29,220.00
Court of Civil Appeals,		
Eighth District	29,670.00	29,420.00
Court of Civil Appeals,		
Ninth District	29,020.00	28,820.00
Court of Civil Appeals,		
Tenth District	29,870.00	29,870.00

	For the Years Ending	
	August 31,	August 31
	1928	1929
Court of Civil Appeals,		
Eleventh District	29,720.00	29,220.00
Supreme Court	45,140.00	43,140.00
Commission of Appeals,		
Sections A and B	48,720.00	48,720.00
Court of Criminal Appeals	41,920.00	41,170.00
State's Attorney before Court of		
Criminal Appeals	5,785.00	5,785.00
Commission of Appeals, to aid		
Court of Criminal Appeals	18,120.00	18,120.00
Judiciary, Comptroller's Depart-		
ment	1,956,733.33	1,958,400.00
Grand Totals	\$ 2,442,494.33	\$ 2,438,005.00
Grand Total for Biennium	\$4,880,499.33	

Provided that the amounts herein appropriated for each item as herein stated, and no more, shall be paid out of the general revenue for the judiciary during the fiscal years beginning September 1, 1927, and ending August 31, 1929, and no surplus shall be diverted from one account to another.

Provided that all accounts under this section, which require the approval of any district judge, shall be examined by the Comptroller, and, if correct, he shall issue his warrant therefor, but if he shall find same incorrect, in whole or in part, he may within a reasonable time cause an audit of same to be made before warrant is issued.

Provided that the Governor, in case of an extraordinary emergency, may authorize a deficiency for such purpose or purposes which could not have been anticipated or provided for by the Legislature. All moneys appropriated by this Act shall remain in the State Treasury and be paid out only as it is expended, or as the necessity or emergency may require.

Provided, that it shall be the duty of the clerks of the various courts above mentioned, on the first Monday of July, October, January and April of each year, to make a report to the Comptroller, showing the amount of fees collected each quarter, giving the number of cases, but not necessarily the style of case, together with the fees from other sources, stating in each instance the source.

Fees shall be fixed, charged and collected from book companies, litigants, and their attorneys, and all others, for all unofficial and certified copies of opinions of the court made or furnished by said court or the clerk, stenographers or other employees thereof, and fees shall be fixed, charged and collected for all other services rendered by said court, the clerk, stenographers or other employees to book companies, litigants and their attorneys and all others not now furnished or required

to be furnished free of charge; and all of said fees and charges when collected, shall be paid into the treasury of the State of Texas.

Provided, that each and every employee under this Act shall be paid by voucher, issued in his or her name; said voucher shall state the amount of salary or sum due, and for what services performed, with the date and time of such service, and no money or moneys shall be paid except upon presentation of said voucher or vouchers indorsed by the payee.

SEC. 2. The fact that the above and foregoing is one of the regular appropriation bills for the support of the Government for the two fiscal years beginning September 1, 1927, and ending August 31, 1929, creates a necessity for the expediting of the passage of this appropriation bill, and, therefore, creates an emergency and an imperative public necessity which demands that the rule requiring bills to be read on three several days be suspended, and that this bill become effective from and after its passage, and it is so enacted.

Approved June 17, 1927, except vetoed items which are not included in the foregoing.

Effective June 17, 1927.

[S. B. No. 2 passed the Senate finally 23 ayes, 0 nays; Senate refused to concur in House amendments and free conference committee was appointed; Senate adopted report of said committee 29 ayes, 0 nays. House passed bill with amendments 88 ayes, 28 nays and adopted report of free conference committee by viva voce vote.]

APPROPRIATIONS FOR STATE ELEEMOSYNARY INSTITUTIONS.

H. B. No. 3.]

CHAPTER 103.

AN ACT making appropriations to pay the salaries of officers and employees of certain eleemosynary institutions of the State, and other expenses of maintaining and conducting them for the two fiscal years, beginning September 1, 1927, and ending August 31, 1929, as follows, to-wit: Abilene State Hospital; Austin State School; Austin State Hospital; Pasteur Institute; Confederate Home; Confederate Woman's Home; Deaf, Dumb and Blind Institute for Colored Youths; Girls Training School; Home for Dependent and Neglected Children; State Hospital for Crippled and Deformed Children at Galveston; State Juvenile Training School; State Orphans Home; Rusk State Hospital; San Antonio State Hospital; Terrell State Hospital; State Tuberculosis Sanatorium; Wichita Falls State Hospital; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. That the following sums of money, or so much thereof as may be necessary, be and the same are hereby appropriated out of any money in the State Treasury not otherwise appropriated, to pay the salaries of officers and employees and other expenses necessary for the support and maintenance of the eleemosynary institutions of the State from September 1, 1927, to August 31, 1929.